REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-2, 4-5, 8-11, 14-16, 18-20, 24-41, 43 and 45-72 are pending. Claims 1-2, 4-5, 8-11, 14-16, 18-20, 24-41, 43 and 45-72 stand rejected. In this response, claims 1, 8, 11,16, 40, 45-46, 63-64, 68-69 and 73 have been amended. No claims are canceled. No new claims have been added. Thus, claims 1-2, 4-5, 8-11, 14-16, 18-20, 24-41, 43 and 45-73, as amended, remain pending. Support for the amendments can be found throughout the specifications as filed. No new matter has been added. Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

Applicant believes claim 73 should be pending in the Office Action. A correction to include claim 73, as amended, in the pending claims is respectfully requested.

Amendments

Amendments to the Claims
Objections
Claims **63 and 68**

Claims 63 and 68 are objected to. In view of foregoing amendments, Applicant respectfully submits that the objection has been overcome. Accordingly, withdrawal of the objections is respectfully requested.

Rejections

Rejections under 35 U.S.C. § 112, 2ⁿᵈ paragraph
Claims **1-2, 8-11, 14-16, 20, 24-28, 37-41, 45-46, 48-51, and 60-72**

Claims 1-2, 8-11, 14-16, 20, 24-28, 37-41, 45-46, 48-51, and 60-72 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In view of foregoing amendments, Applicant respectfully submits that claims 1-2, 8-11, 14-16, 20, 24-28, 37-41, 45-46, 48-51, and 60-72, as amended, are definite in compliance with the requirements of 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is respectfully requested.

Claims 4-5, 18-19, 29-36, 43, 47, 52-59

Claims 4-5, 18-19, 29-36, 43, 47, 52-59 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. However, Applicant respectfully submits that claims 4-5, 18-19, 29-36, 43, 47, 52-59 are definite in compliance with the requirements of 35 U.S.C. §112, second paragraph.

The Office Action states "Since the document tree has one root node and one or more leaf nodes, which means it has more than one tree nodes" (Office Action, page 4). It appears the Office Action assumes a single node cannot be a tree which includes one tree node as both a root node and a leaf node. Applicant respectfully disagrees with the Office Action's apparent assumption. Here, Applicant fails to find any support for a statement that a tree cannot include only one single node. In fact, a single node tree is well known in the art.

Accordingly, claims 4-5, 18-19, 29-36, 43, 47, 52-59 are definite. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 103(a)
Claims 1-2, 25, 38-41, 50, and 61-62

Claims 1-2, 25, 38-41, 50 and 61-62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over P. G. Richard, US Publication No. 2002/0073119 (hereinafter "Richard") in view of Easwar, US Publication No. 2007/0009179 (hereinafter "Easwar"). Applicant hereby reserves the right to swear behind Easwar at a later date. However, Applicant respectfully submits that Applicant's claims 1-2, 25, 38-41, 50 and 61-62, as amended, are patentable over the cited references.

Specifically, for example, independent claim 1, as amended, includes the limitations of replacing an element of a document with a source document generated from the element to update the document. It is respectfully submitted that neither Richard nor Easwar, individually or in combination, disclose or suggest the noted limitations.

Rather, Richard discloses a converter engaging a dialog with a web site submitting requests until it obtains the information (the response) requested by a wireless communicator to translate the response by generating the WML tags that are necessary to display the response on a display of the wireless communicator (Richard [0069]). Richard also describes

a converter including a standardization interface, a transformer interface and a finalizer interface (Richard [0071], Fig. 6). According to Richard, the standardization interface builds an input tree node based on an XML stream, the transformer interface interprets an XF conversion script to guide a node-to-note transformation from an input document tree to an output document tree according to the DOM specification, and the finalizer interface traverses an output (document) tree to provide an output stream (Richard, [0072]-[0074], Fig. 6). Additionally, Richard's XF conversion script is composed of a list of procedures in the ECMAScript language including a recursive process for request redirections to access to pages corresponding to frames making up a frameset until a specific page is found (Richard, [0077][0083], [0102]-[0105], Fig. 10). In Richard, redirection to another page restarts the conversion script with the data in the new page (Richard, [0121]). Thus, Richard looks for a specific page via redirections according to a document tree to restart a conversion script on the specific page. However, Richard neither discloses nor suggests replacing an element of a document with a source document generated from the element to update the document.

Easwar teaches a plug-in module for an HTTP server to customize on-demand creation of images that are customized for a particular device type (Easwar, Abstract, [0163]). Easwar also discloses the plug-in module fetches an XML file and identifies a client device based on an incoming request for a target image (Easwar, [0163][0164]). According to Easwar, the XML file stores he values for an image transform tree describing both the viewport and layers (Easware, [0164]). In Easwar, viewport information derived from a client database according to the identified client device is merged with all the attributes and values in the image transform tree to actually render an image customized for the client (Easwar, [0165]). However, nowhere does Easwar teach or suggest replacing an element of a document with a source document generated from the element to update the document.

Furthermore, Easwar is in the field of digital image processing (Easwar, [0004]). Richard, on the other hand, relates to conversion of mark-up data (Richard, [0003]). Here, image processing and mark-up data conversion belong to completely different fields of art. Clearly, Easwar and Richard are solving significantly different problems and their approaches are significantly different. There is neither suggestion nor motivation to combine Richard and Easwar with each other because such a combination lacks reasonable expectation of success.

Even if they were combined, such a combination still lacks the limitations of replacing an element of a document with a source document generated from the element to update the document.

As such, not only do Richard and Easwar, not disclose, individually or even in combination, the above noted limitations, but the references, considered as a whole, do not suggest the desirability and thus the obviousness of making the combination. It would be impermissible hindsight to combine Richard and Easwar based on Applicant's own disclosure.

In order to render a claim obvious, each and every limitation of the claim must be taught by the cited references. Therefore, in view of the foregoing remarks, it is respectfully submitted that independent claim 1, as amended, is patentable over Richard.

Independent claim 40, as amended, includes similar limitations as noted above. Therefore, for at least the similar reasons as discussed above, it is respectfully submitted that claims 40 and 73, as amended, is patentable over the cited references.

Given that claims 2, 25, 38-39, 41, 50 and 61-62, as amended, depend from and include all limitations of one of independent claims 1 and 40, as amended, Applicant respectfully submits that claims 2, 25, 38-39, 41, 50 and 61-62, as amended, are patentable over the cited references.

Claims 63-73

Statuses of claims 63-73 are not addressed in the detailed actions of the Office Action. However, Applicant respectfully submit that claims 63-73, as amended, overcome all the applicable objections and rejections described in the Office Action.

Allowable Subject Matter

Claims 18-20, 29-37, 52-60

Applicant notes with appreciation on the Examiner's assertion that claims 18-20, 29-37 and 52-60 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

CONCLUSION

In view of the foregoing, Applicant respectfully submits the applicable rejections and objections have been overcome. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned at (408) 720-1624.

Respectfully submitted,

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